

House File 2040 - Introduced

HOUSE FILE 2040

BY HEATON

A BILL FOR

1 An Act relating to the exercise of a mental health advocate's
2 duties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 229.19, Code 2016, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6. An advocate shall have exclusive
4 control over the performance of the advocate's duties under
5 this section, if not inconsistent with the requirements of this
6 section, the related guidelines and best practices for the
7 performance of the advocate's duties developed and promulgated
8 by the judicial council, and rules adopted by the state mental
9 health and disability services commission.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 Under Code section 229.19, a mental health advocate is
14 appointed by a county board of supervisors and assigned to a
15 person who is involuntarily committed due to a serious mental
16 illness. The advocate's duties include assisting the person in
17 understanding the commitment process, safeguarding the rights
18 of the person, communicating with medical personnel treating
19 the person, and reviewing the person's medical records.

20 This bill provides that a mental health advocate shall
21 have exclusive control over the performance of the advocate's
22 duties under Code section 229.19, if not inconsistent with the
23 requirements of that Code section, the related guidelines and
24 best practices for the performance of the advocate's duties
25 developed and promulgated by the judicial council, and rules
26 adopted by the state mental health and disability services
27 commission.